

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-40 are pending in the present application. Claims 6-40 are withdrawn with traverse due to a restriction requirement. Claim 1 is an independent claim.

Specification Objection

The Office Action objects to the Abstract as being longer than 150 words. Applicants' representative spoke with the Examiner on April 14, 2008 and established that the current Abstract of the Specification, submitted in a Preliminary Amendment on February 10, 2006, is within the 150 word limit. Accordingly, reconsideration and withdrawal of this objection is respectfully requested.

Allowable Subject Matter and Rejoinder

Applicants thank the Examiner for noting that claims 3-5 would be allowable if re-written into independent form but wish to pursue the patentability of all pending claims. Applicants also respectfully request that claims 6-13, 15-22, 24, 26, 28, 30, 32, 34, and 35 be re-joined in the present Application at least by virtue of their direct or indirect dependency from claims 3-5.

Claim Rejections under §103

Claims 1 and 2 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication 2005/0102098 by Montealegre et al. (hereafter "Montealegre") in view of U.S. Patent 6,282,492 to Gorai et al. (hereafter "Gorai"). This rejection is respectfully traversed.

Claim 1

Independent claim 1 pertains to a map information processing apparatus that detects its own position, stores map information internally, and detects new roads not currently stored in the map information. The apparatus also has "an intersecting judging means for identifying intersection points where the new road detected by said new road detecting means intersects either roads included in the map information acquired by said map information acquiring means or roads previously detected by said new road detecting means, other than the start and end points of the new road."

The Office Action admits that Montealegre does not teach or suggest the intersecting judging means of independent claim 1, and instead relies on Gorai for this teaching.

Gorai teaches a navigation system composed of a navigation center and a plurality of navigation apparatuses. The navigation apparatuses then use this information to calculate routes and update their own internal information stores.

(Abstract). Specifically, Gorai teaches that a navigation apparatus has a "specified intersection judging means" that determines whether the intersection data transmitted by the navigation center corresponds to intersection data stored by the apparatus. (Col. 6, lines 5-27). The route guidance data that Gorai's navigation apparatus produces is based on "intersection specifying data" received from the navigation center. (Col. 12, lines 10-27)

The "intersecting judging means" of the present invention identifies "intersection points where the new road detected by said new road detecting means intersects [other detected or known roads]" at points "other than start and end points of the new road." This intersection identification process is neither taught nor suggested by Gorai, which instead teaches that intersection data is transmitted from navigation center to a navigation device for purposes of updating map and routing data within the navigation device. (Col. 2, line 3 – Col. 6, line 55).

Gorai's navigation units are taught as only able to receive and process intersection information, with no disclosed ability to detect and identify intersection points not provided by the navigation center. Gorai also does not teach or suggest how new intersections of known and previously unknown roads are identified by the navigation center for broadcast to the navigation units, and therefore makes no teaching or suggestion of "identifying intersection points where the new road detected by said new road detecting means intersects [other detected or known roads]" as required by independent claim 1.

Claim 2

Applicants respectfully submit that claim 2 is allowable at least by virtue of its dependency from independent claim 1.

Summary

Applicants respectfully submit that neither Montealegre nor Goral, taken alone or in combination (assuming the references may be combined, which Applicants do not admit) teach or suggest "an intersecting judging means for identifying intersection points where the new road detected by said new road detecting means intersects either roads included in the map information acquired by said map information acquiring means or roads previously detected by said new road detecting means, other than the start and end points of the new road" as required by Independent claim 1 and all claims depending therefrom. Accordingly reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but to merely show the state of the art, no comment need be made with respect thereto.

In view of the above amendment, applicant believes the pending application is in condition for allowance. Thus, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

However, should the Examiner believe that any outstanding matters remain in the present application, the Examiner is requested to contact Applicants' representative, Naphtali Matlis (Reg. No. 61,592) at the telephone number of the undersigned in order to discuss the application and expedite prosecution.

Dated: June 4, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D. Anderson", written over a horizontal line.

By
D. Richard Anderson
Registration No.: 40,439
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Rd
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicants